

AFFIDAVIT

1. I am a Special Agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”), United States Department of Justice and have been so employed since January 2016. Prior to becoming a Special Agent with ATF, I was a paralegal with the United States Attorney’s Office for the District of Maryland from August 2005 through January 2016. I completed the Criminal Investigator Training Program in Glynco, Georgia and the ATF Special Agent Basic Training at the Federal Law Enforcement Training Center in Glynco, Georgia. I earned a Juris Doctorate and a Master of Science degree in Negotiations and Conflict Management from the University of Baltimore. Additionally, I have a Bachelor of Arts degree in Philosophy and Psychology from Notre Dame of Maryland University. I have received firearms, arson, and explosives related training, and I have utilized a variety of investigative techniques and resources, including physical and electronic surveillance and various types of cooperating sources, in order to successfully conduct these investigations. Further, I have received periodic training in the fields of firearms, narcotics, arson, and explosives investigation.

2. As an ATF Special Agent, I conduct investigations involving violations of Federal firearms and narcotics laws. During my service with ATF, I have conducted criminal investigations involving the illegal possession of firearms and narcotics. Often such investigations utilize undercover agents and/or confidential informants. As a federal agent, I am authorized to investigate violations of United States laws and to execute search warrants and arrest warrants issued under the authority of the United States.

3. Because this Affidavit is being submitted for the limited purpose of securing a criminal complaint, I have not included each fact known to me concerning this investigation. Instead, I

have set forth only the facts that I believe are necessary to establish the necessary foundation for the requested complaint.

PROBABLE CAUSE

4. On or about April 11, 2023, United States Magistrate Judge Carmen E. Henderson signed a search warrant for the residence of Kenneth Dwight LINDSEY.

5. On or about April 13, 2023, law enforcement executed a search warrant at LINDSEY's residence located at 1446 Hillside Terrace, Akron, Ohio 44305. Present at the home were LINDSEY and his fiancé's five-year-old son, Jacob.

6. LINDSEY came to the front door as Special Agents and Task Force Officers with the ATF knocked and announced their presence and demanded entry. LINDSEY was detained in handcuffs and escorted out of the residence. While being passed back from the entry team to me, LINDSEY made a spontaneous utterance in my presence saying he would tell us where everything was. Without me asking any questions, LINDSEY told me that there was some marijuana in the house, two firearms under his bed and two more firearms in the safe in his bedroom. LINDSEY further stated that the firearms were his fiancé's, Sabrina Collins.

7. After LINDSEY made the spontaneous statements, I advised him of his constitutional rights which he acknowledged.

8. During a recorded interview with TFO Centa, LINDSEY stated there were two pistols and two rifles in the residence. In addition, he said "there might be some boxes of bullets" in the residence. He further stated the firearms do not leave the residence. When the interview turned towards narcotics, LINDSEY invoked his right to counsel and the interview stopped.

9. Upon searching the residence, agents recovered the following four loaded firearms in LINDSEY's bedroom:

- a. SCCY, model CPX1, 9mm pistol, serial number 808480;
- b. Citadel, model Warthog, 12-gauge shotgun, serial number 20-54341;
- c. Taurus, model PT92, 9mm pistol, serial number L63371;
- d. AR-15 type privately manufactured rifle bearing no markings or serial number.

10. At the conclusion of the search warrant, LINDSEY wanted to review the search warrant inventory that was left at the residence. While reviewing the items seized from the residence, LINDSEY told me and TFO Eric Centa that he knew he was not allowed to possess the firearms, but he suffers from Post-Traumatic Stress Disorder (PTSD) and felt he needed them to protect himself. LINDSEY went on to explain that due to his previous conviction for involuntary manslaughter, he believes his victim's family will threaten or come after him. He further stated that the firearms never leave the residence. Neither TFO Centa nor I asked any questions of LINDSEY as he had previously invoked his right to counsel. LINDSEY merely wanted to make sure we knew why he possessed the firearms.

11. During the execution of the search warrant, LINDSEY's fiancé, Sabrina Collins arrived at the residence. In a voluntary recorded statement, Collins told TFO Centa that none of the firearms seized in the residence were hers.

12. I consulted with an interstate nexus expert with the ATF who opined that three of the four firearms recovered from LINDSEY's bedroom on April 13, 2023, were not manufactured or originally assembled in the state of Ohio and had therefore traveled in and affected interstate and/or foreign commerce. The three firearms that moved in interstate commerce were: 1) SCCY, model CPX1, 9mm pistol, serial number 808480, 2) Citadel, model Warthog, 12-gauge shotgun, serial number 20-54341, and 3) Taurus, model PT92, 9mm pistol, serial number L63371. The fourth

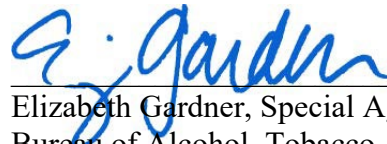
recovered firearm was a privately made firearm and will require additional research to determine where it was manufactured. All firearms were loaded with ammunition at the time of recovery.

13. LINDSEY is prohibited from possessing firearms and ammunition based on the following felony conviction punishable by imprisonment for more than one year:

- a. Involuntary Manslaughter (F1), on or about October 10, 2017, in case number CR 2017-05- CR 596, in the Summit County, Ohio, Court of Common Pleas.
- b. LINDSEY was present for his sentencing and therefore knew had a prior felony conviction.

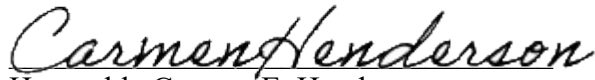
CONCLUSION

14. Based upon the above listed facts and circumstances, there is probable cause to believe that on April 13, 2023, Kenneth Dwight LINDSEY, violated Title 18, United States Code 922(g)(1), that is Felon in Possession of Firearms.



Elizabeth Gardner, Special Agent
Bureau of Alcohol, Tobacco, Firearms and
Explosives

Sworn to via telephone after submission by reliable electronic means. Fed. R. Crim. P. 4.1 and 41(d)(3) this 13th day of April, 2023.



Honorable Carmen E. Henderson
United States Magistrate Judge
Northern District of Ohio
Eastern Division